

REMARKS

Claims 1-23 are presently pending.

Claims 2-18, 21, and 22 have been amended to conform the preambles to the preamble of claim 1. Claim 19 has been re-written in independent form. New claim 23 has been added; it is supported by paragraphs [0020]-[0027] and the Examples of the original disclosure.

Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 1-22 stand rejected as not enabled. Applicants respectfully traverse the rejection.

While Applicants' claims are broad, determining whether a coated article falls within the scope of the claims requires only straightforward testing. This testing protocol is described and illustrated in the present specification in sufficient detail to school the skilled artisan. The Federal Circuit has held that "the question of undue experimentation is a matter of degree. The fact that some experimentation is necessary does not preclude enablement; what is required is that the amount of experimentation 'must not be unduly extensive.'" *PPG Indus. Inc. v. Guardian Indus. Corp.*, 37 U.S.P.Q.2d 1618, 1623 (Fed. Cir. 1996). In *PPG Industries* the court further instructed that it is not the extent of experimentation, but the type that determines whether it is "unduly extensive": "The test is not merely quantitative, since a considerable amount of experimentation is permissible, if it is merely routine, or if the specification in question provides a reasonable amount of guidance with respect to the direction in which the experimentation should proceed to enable the determination of how to practice a desired embodiment of the invention claimed." *PPG Indus. Inc. v. Guardian Indus. Corp.*, 37 U.S.P.Q.2d 1618, 1623 (Fed. Cir. 1996) (quoting with approval *Ex parte Jackson*, 217 U.S.P.Q. 804, 807 (BPAI 1983)).

In regard to the present claims, applying a coating on an article and measuring the coating's relative elastic resilience and scratch resistance involves straightforward application and testing techniques. The experimentation required is, therefore, not undue, and the claims are enabled.

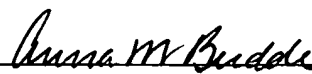
New claim 23, directed to a method of testing scratch resistance, is enabled for the same reasons.

Accordingly, Applicants respectfully request withdrawal of the rejection and reconsideration and allowance of the claims as amended.

Conclusion

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1220 (direct dial number).

Respectfully submitted,



Anna M. Budde
Registration No. 35,085

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Harness, Dickey & Pierce, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

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